

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:17CR460-1
	:	
PAULA KAY BULLOCK	:	<b>Filed Under Seal</b>

GOVERNMENT'S MOTION TO AMEND CONDITIONS OF RELEASE

NOW COMES the United States of America, by and through Matthew G.T. Martin, United States Attorney for the Middle District of North Carolina, pursuant to 18 U.S.C. § 3145 and moves to amend the defendant's conditions of release.

1. On December 18, 2017, the federal grand jury sitting in Greensboro, North Carolina, returned a two-count indictment against defendant Bullock charging her with access device fraud in violation of 18 U.S.C. § 1029(a)(2) and aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1). (Indictment, Dkt. #1).

2. The defendant was arrested on December 19, 2017 and brought before the Hon. Joe L. Webster for initial appearance/release hearing on December 20, 2017. (Arrest of Paula Bullock, Dkt. Entry Dated 12/20/2017 and Dkt. # 8). The defendant's residence at this time was located at 1737 Allen Jarrett Drive, Mebane, North Carolina in the Middle District of North

Carolina. The defendant was released on her own supervision on the following conditions among others:

a. The defendant must not violate federal, state, or local law while on release.

b. The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.

c. Travel is restricted to the Middle District of North Carolina unless prior approval given by pretrial services. (Order Setting Conditions of Release, Dkt. # 6).

3. On March 20, 2018, the defendant filed a motion to modify her conditions of release so she could travel out of the country. (Defendant's Motion to Modify Conditions of Release, Dkt. #17). After receiving the motion, Special Assistant United States Attorney K. P. Kennedy Gates contacted the United States Probation Office ("USPO") to determine what its position would be. The USPO indicated it did not have a position because it was not supervising the defendant and could not report how she was doing on pretrial release. The USPO indicated that Bullock did have permission to travel to Colorado as she had a pending court case there and her son lived there. The USPO indicated that Bullock emailed the USPO when she went to Colorado. The Government filed a motion objecting to the modification. (Government's Response to Motion to Modify Conditions of Release, Dkt. #19).

4. The pending court case in Colorado is for obtaining controlled substance by fraud. (*See*, Colorado Case report, attached hereto as Ex. A).

5. On March 27, 2018, the federal grand jury sitting in Greensboro, North Carolina, returned a six-count superseding indictment against defendant Bullock charging her with two counts of wire fraud in violation of 18 U.S.C. § 1343, one count of access device fraud in violation of 18 U.S.C. § 1029(a)(2) and three counts of aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1). (Superseding Indictment, Dkt. # 20).

6. Between the end of March 2018 and April 2018, Special Assistant K. P. Kennedy Gates became aware that the defendant had an outstanding warrant for arrest for a county ordinance violation in Durham County. (See attached warrant for arrest in Durham County District Court case 18CR51946 attached hereto as Ex. B). During a discussion with counsel for the defendant, the Special Assistant made counsel for the defendant aware of the outstanding process and indicated that the Government would not be moving to revoke defendant's conditions of release based on this, but that defendant needed to take care of the outstanding process.

7. On June 26, 2018, the federal grand jury sitting in Greensboro returned a 21-count superseding indictment charging her with seven counts of wire fraud in violation of 18 U.S.C. § 1343, two counts of access device fraud in violation of 18 U.S.C. § 1029(a)(2), four counts of obtaining a controlled substance by fraud in violation of 21 U.S.C. § 843(a)(3), and eight counts of

aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1). (Second Superseding Indictment, Dkt. # 26).

8. On August 2, 2018, an attorney with the North Carolina Veterinary Board contacted the United States Attorney's Office and indicated that he was trying to serve the defendant with unrelated civil process by both FedEx and through the sheriff's department. He indicated that a woman at defendant's address at 1737 Allen Jarrett Drive, Mebane, North Carolina signed for the process. The woman who signed for the process called the North Carolina Veterinary Board attorney and indicated she had been living at the address on Allen Jarrett Drive in Mebane, North Carolina for eleven months and had never heard of Bullock. After numerous attempts, the Alamance County Sheriff's Office was also unsuccessful at serving or locating Bullock at the Mebane, North Carolina address.

9. On August 6, 2018, Assistant United States Attorney Frank Chut and Special Assistant United States Attorney K. P. Kennedy Gates met with counsel for the defendant to discuss the above captioned case. During the meeting, counsel for the Government discussed the outstanding warrant for arrest for the defendant from Durham County and indicated that she needed to be served with the process. Counsel for the defendant indicated that he would relay the information to his client.

10. More than three weeks later, on August 30, 2018, Bullock was served with the outstanding warrant for arrest on the Durham County

Ordinance. (See, Automated Criminal/Infractions System (“ACIS”)<sup>1</sup> for 18CR51946 attached hereto as Ex. C). The date of the alleged offense was March 7, 2018. The case is currently pending in Durham County District Court and has a file number of 18CR51946. The defendant’s address is listed as 151 South Shore Drive, Supply, North Carolina. Supply is in Brunswick County, which is in the Eastern District of North Carolina.

11. On September 9 and 10, 2018, Special Assistant United States Attorney K. P. Kennedy Gates contacted the USPO. She was informed that Bullock does send an email to the office when she goes to Colorado. Bullock has also sent emails about travel to Florida, Illinois, and Washington to attend her son’s competitions. The USPO has not been informed about any other travel outside of the Middle District of North Carolina or an address change. The listed address with the USPO is 1737 Allen Jarrett Drive, Mebane, North Carolina.

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<sup>1</sup> “Created and maintained by the North Carolina Administrative Office of the Courts (NCAOC), the Automated Criminal/Infractions System (ACIS) provides the superior and district courts in North Carolina with accurate and timely criminal and infraction case information.” ACIS Citizen’s Guide, p. 5, [http://www.nccourts.org/Training/Documents/ACIS\\_Inquiry\\_RG.pdf](http://www.nccourts.org/Training/Documents/ACIS_Inquiry_RG.pdf), last visited on Sept. 5, 2018. ACIS has been maintained for more than 30 years and “interfaces with several in-house systems, including the North Carolina Warrant Repository System (NCAWARE)...” and also interfaces with outside agencies, “including the Department of Motor Vehicles (DMV), the State Bureau of Investigation (SBI), and the Department of Correction (DOC).” *Id.*

12. Upon information and belief, the defendant has contacted at least one witness in the above captioned matter either directly or indirectly, not through an attorney intermediary.

13. Upon information and belief, the Government contends Bullock is violating the above listed conditions of release in paragraph two. Furthermore, the defendant has been indicted on additional charges not part of the original investigation. Therefore, the Government moves this Court to amend Bullock's conditions of release to include the following additional conditions:

a. The defendant must submit to supervision by and report for supervision to the United States Probation Office.

b. The defendant must avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution.

c. The defendant must not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

d. The defendant must submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct,

attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

e. The defendant must report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

f. Any other condition the Court deems necessary.

This the 12th day of September, 2018.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2018, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Paul Moore Dubbeling, Esq.

Respectfully submitted,

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